



General Assembly

January Session, 2009

**Amendment**

LCO No. 7408

**\*HB0628607408SD0\***

Offered by:

SEN. STILLMAN, 20<sup>th</sup> Dist.

REP. DARGAN, 115<sup>th</sup> Dist.

To: Subst. House Bill No. 6286

File No. 776

Cal. No. 612

**"AN ACT SHIELDING FIRE DEPARTMENTS THAT INSTALL  
SMOKE AND CARBON MONOXIDE DETECTORS FROM  
LIABILITY."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2009*) (a) For the purposes of  
4 this section, "novelty lighter" means a mechanical or electrical device  
5 operated on a fuel such as butane or liquid fuel that is typically used  
6 for lighting cigarettes, cigars or pipes and that (1) possesses audio or  
7 visual effects, or (2) resembles in physical form or function articles  
8 designed to appeal, or intended for the use of, children ten years of age  
9 or younger. "Novelty lighter" includes, but is not limited to, lighters  
10 that play musical notes or have flashing lights, or that resemble  
11 cartoon characters, toys, guns, watches, musical instruments, vehicles,  
12 toy animals, food or beverages.

13 (b) No person shall sell a novelty lighter in this state.

14 (c) The provisions of this section shall not apply to a novelty lighter  
15 (1) made before January 1, 1980, (2) incapable of being fueled or  
16 lacking a device necessary to produce combustion or a flame, or (3)  
17 that is a standard disposable lighter that is printed or decorated with  
18 logos, labels, decals, artwork or heat shrinkable sleeves.

19 (d) Any person who violates any provision of this section shall be  
20 fined not more than ninety dollars for the first offense and be guilty of  
21 an infraction, and shall be fined five hundred dollars for any second or  
22 subsequent offense.

23 (e) No police officer shall be held civilly liable for a cause of action  
24 arising out of such officer's enforcement of the provisions of this  
25 section during the course of such officer's employment, unless such  
26 officer's conduct was unreasonable or reckless."